

# Exhibit D

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STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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DANIEL'LA DEERING, ) Case No. 0:22-cv-01534-DSD-BRT  
                      )  
                      Plaintiff, )  
vs.                  )  
                      )  
LOCKHEED MARTIN )  
CORPORATION,      )  
                      )  
                      Defendant. )

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AUDIO-VIDEO DEPOSITION OF  
DANIEL'LA DEERING  
NOVEMBER 1, 2021  
9:00 A.M.

Sheila G. Smith, RPR (CSR-IOWA)  
Court Reporter/Notary Public

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1 COURT REPORTER: Thank you.

2 MR. BURKHARDT: Are we ready?

3 COURT REPORTER: I'm ready.

4 MR. BURKHARDT: Okay. Great.

5 DANIEL 'LA DEERING,

6 having been placed under oath, was examined and  
7 testified as follows:

8 EXAMINATION

9 BY MR. BURKHARDT:

10 Q Good morning, Ms. Deering.

11 A Good morning, Michael.

12 Q We've met before. As you know, my name is Michael  
13 Burkhardt. I represent Lockheed Martin in the matter  
14 that you have filed against the company.

15 So you've participated in many, many  
16 depositions, I presume. Is that correct?

17 A That's correct.

18 Q Okay. So you know the basic rules, but just as a  
19 reminder, obviously we can't talk over each other.

20 It's important for the record that you let me finish  
21 my question; then I let you finish your answer.

22 And obviously if your counsel objects to a  
23 question, the parties --

24 And I presume, Clayton, we're all in  
25 agreement to preserve all objections except as

1 form. Are we in agreement on that?

2 MR. HALUNEN: We are in agreement.

3 MR. BURKHARDT: I didn't hear you. I'm  
4 sorry.

5 COURT REPORTER: I'm sorry?

6 MR. HALUNEN: Yes, we are in agreement.

7 BY MR. BURKHARDT:

8 Q Okay. Ms. Deering, are you under the influence of  
9 any medicine, drugs, or alcohol that would affect  
10 your ability to testify truthfully and completely  
11 today?

12 A I am not.

13 Q Where are you currently employed?

14 A NVent.

15 COURT REPORTER: I'm sorry. Can you spell  
16 that for me?

17 THE WITNESS: Yes. The letter "n," capital  
18 V-e-n-t.

19 BY MR. BURKHARDT:

20 Q And what is your job title?

21 A I'm Associate General Counsel Director.

22 Q And can you summarize your compensation package for  
23 me?

24 A Yes. My base salary is \$200,000; I have bonus  
25 compensation, but not guaranteed, but when they do

1 have bonuses, it's at 35 percent of your salary; and  
2 I was also awarded shares worth \$40,000 that vest  
3 over a three-year period.

4 Q Okay. And the bonus, that's a target bonus  
5 percentage? Is that correct?

6 A That is a target percentage.

7 Q So you could, in theory, get higher than the  
8 equivalent of 35 percent of your base salary.

9 Correct?

10 A No, 35 percent is the ceiling, but it could be --

11 Q That's the ceiling?

12 A But it could be a floor -- it could be less than that  
13 or no bonus at all.

14 Q And what services are you performing for nVent?

15 A I am segment counsel for their Enclosure segment.

16 It's the largest of the -- of the three business  
17 segments for the company. I provide legal advice to  
18 the business on a variety of areas -- contracts, both  
19 domestic and international; IP issues as they arise;  
20 employment law issues as they arise; I manage a  
21 contracts manager and basically serve as a member of  
22 the leadership team for the Enclosures business, and  
23 I have hard-line reporting to the legal department  
24 and dotted-line reporting to my segment president.

25 Q Are you performing any employment law services for

1 nVent?

2 A I am.

3 Q So that's included in the overall description of your  
4 job duties?

5 A Yes. I'm very much a generalist.

6 Q And when did you start in that role?

7 A In February of this year, 2021.

8 Q You're getting paid as a W2 employee. Is that  
9 correct?

10 A Yes, I am an employee.

11 Q And what was your role -- your job immediately prior  
12 to working for nVent?

13 A I work for the Forum Group, which is a legal search  
14 firm. They hire contract attorneys and place them at  
15 businesses, and I was placed at Land O'Lakes.

16 COURT REPORTER: I'm sorry. I'm sorry,  
17 could you say the name of the company again?

18 THE WITNESS: Land O'Lakes.

19 COURT REPORTER: No, no, the first one.

20 THE WITNESS: Oh, the Forum Group?

21 COURT REPORTER: Yes.

22 MR. BURKHARDT: The Forum Group.

23 COURT REPORTER: Forum. Thank you.

24 THE WITNESS: Forum, F-o-r-u-m.

25 COURT REPORTER: Thank you.

1 Q What's your Master's degree in?

2 A Public administration with emphasis in business.

3 Q Okay. So in discovery, you know, we asked,  
4 obviously, for all documentation relating to your  
5 efforts to find alternative employment outside of  
6 Lockheed Martin. Do you remember those requests?

7 A Yes.

8 Q Did you provide us everything that you have in your  
9 possession with regard to your efforts?

10 A I did.

11 Q So there's no emails, notifications, or anything that  
12 you failed to produce?

13 A I produced everything related to my job search.

14 Q Is there anything that you failed to retain  
15 concerning your job efforts?

16 MR. HALUNEN: Object, vague.

17 Go ahead and state your understanding.

18 COURT REPORTER: I'm sorry, I can't hear  
19 you. "Object, vague," and then what?

20 MR. HALUNEN: I'll stop there. Object as  
21 to vague.

22 BY MR. BURKHARDT:

23 Q You understand my question. Right?

24 A Please restate it since...

25 Q Is there any documentation that you failed to retain

1 Counsel?

2 THE WITNESS: Corporate Counsel

3 Associations.

4 A They'll send out postings from legal recruiters to  
5 their members so that you can just submit your resume  
6 for jobs.

7 Q Other than these two instances, did you reach out to  
8 any other legal recruiters to help find a job?

9 A No, I didn't.

10 Q Why not?

11 A Because there were a lot of postings online.

12 Q Any other reason?

13 A No.

14 Q Okay. And are those the only two?

15 I'm going to just scroll down here to the  
16 next page, which says all "Indeed;" and then the  
17 third page, the source is Indeed for all of these.

18 A Umhum.

19 Q The fourth page also appears to be all Indeed.

20 Right?

21 A Yes.

22 Q And on the fifth page, it looks all Indeed.

23 Are there any efforts beyond December of  
24 2020 that you've made to secure other employment that  
25 are not in this document?

1 A Not that I'm aware of.

2 It's exhausting and disheartening to keep  
3 applying for jobs and not getting anything.

4 Q Right. Is that the reason why you haven't applied  
5 for any positions after December 2020?

6 A I don't know if I -- I'll need to update that if I  
7 have. I'll have to check. I may have submitted a  
8 couple applications, but not many.

9 I didn't start my job with nVent until  
10 February 2021, so we'll need to update that.

11 Q Have you applied -- have you looked for any  
12 alternative employment while you've been working for  
13 nVent?

14 A No.

15 Q So you may have applied to a few jobs between the end  
16 of December and February of 2021, but you haven't  
17 done any since. Is that correct?

18 A That's correct.

19 Q Okay. I'm scrolling through here, and I'm doing it  
20 fast but just trying look for nVent on here. Is that  
21 something you applied online --

22 A Yes.

23 Q -- to or --

24 A Umhum. Yes. That -- we'll need to update that.

25 Q Okay. So you applied to nVent at some point after